



02-06-01

Image
SGM 6938.1
PATENT 1637

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Brian Ward et al.

Art Unit 1637

Serial No. 10/002,292

Confirmation No. 2146

Filed November 15, 2001

For RECOMBINANT DNA PROCESS USING dNTP MIXTURE CONTAINING MODIFIED NUCLEOTIDES

Examiner Kenneth R. Horlick

February 5, 2004

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VIRGINIA 22313-1450

SIR:

**LETTER TO THE PATENT AND TRADEMARK OFFICE REGARDING
INFORMATION DISCLOSURE STATEMENT**

On August 15, 2002, applicants submitted copies of references 34-48, originally cited in the Information Disclosure Statement filed with the Patent and Trademark Office on February 15, 2002.

On February 4, 2004, the undersigned received a call from Examiner Horlick advising that he was unable to locate these fifteen references. Per Examiner Horlick's suggestion, applicants are submitting copies of the documents, including the fifteen references, originally provided to the Office on August 15, 2002.

* Accordingly, enclosed herewith is a copy of the Letter to the Commissioner dated August 15, 2002, copies of the Information Disclosure Statement and of references 34-48 submitted therewith, a copy of the stamped Post Card indicating the Office's receipt of the August 15, 2002, mailing, and a copy of the Express Mail Label attached to the August 15, 2002, mailing.

Respectfully submitted,

Timothy B. McBride, Reg. No. 47,781
SENNIGER, POWERS, LEAVITT & ROEDEL
One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102
(314) 231-5400

TBM/sxm

* Enclosures

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EL 945484263 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Brian Ward et al.

Serial No. 10/002,292

Filed November 15, 2001

For RECOMBINANT DNA PROCESS USING DNTP MIXTURE CONTAINING
MODIFIED NUCLEOTIDES

August 15, 2002

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS,

SIR:

**LETTER TO THE PATENT AND TRADEMARK OFFICE REGARDING
INFORMATION DISCLOSURE STATEMENT**

On February 15, 2002, applicants submitted an Information Disclosure Statement listing 48 references. Applicants, however, did not have a copy of 15 of these references (references 34-48) available to submit with the Information Disclosure Statement at that time. Applicants now have obtained and have enclosed a copy of the missing references and a copy of the Information Disclosure Statement already submitted with this letter.

Respectfully submitted,

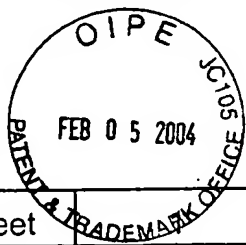
Debra D. Nye, Reg. No. 48,260
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St. Louis, Missouri 63102
(314) 231-5400

DDN/sxm

*Attachments

Express Mail Label No. EL 945484263 US

PTO/SB/08A		Complete if Known			
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	10/002,292		
		Filing Date	November 15, 2001		
		Confirmation Number			
		First Named Inventor	Brian Ward, et al.		
		Group Art Unit			
		Examiner Name			
Sheet	TRADEMARK OFFICE	of	4	Attorney Docket No.	SGM 6938.1



U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code ² (if known)		
	1	6,140,086		Fox, et al.	10-31-2000
	2	5,856,144		Mierendorf, et al.	01-05-1999
	3	5,744,306		Murtagh, Jr., et al.	04-28-1998
	4	5,683,869		Shaw, et al.	11-04-1997
	5	5,688,669		Murtagh	11-18-1997
	6	5,659,027		Spielvogel, et al.	08-19-1997
	7	5,604,098		Mead, et al.	02-18-1997
	8	5,595,895		Miki, et al.	01-21-1997
	9	5,594,115		Sharma	01-14-1997
	10	5,580,759		Yang, et al.	12-03-1996
	11	5,523,221		Weiner	06-04-1996
	12	5,518,900		Nikiforov, et al.	05-21-1996
	13	5,518,901		Murtagh	05-21-1996
	14	5,487,993		Herrnstadt, et al.	01-30-1996
	15	5,284,933		Dobeli, et al.	02-08-1994

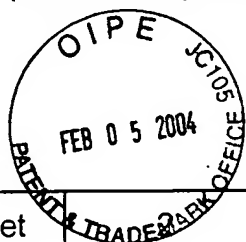
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¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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		Examiner Name			
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	16	5,310,663		Dobeli, et al.	05-10-1994
	17	5,260,427		Spielvogel, et al.	11-09-1993
	18	5,075,227		Hagen	12-24-1991
	19	4,851,341		Hopp, et al.	07-25-1989
	20	4,800,159		Mullis, et al.	01-24-1989
	21	4,683,195		Mullis, et al.	07-28-1987
	22	4,683,202		Mullis	07-28-1987
	23	4,682,195		Yilmaz	07-21-1987
	24	4,569,794		Smith, et al.	02-11-1986
	25	4,532,207		Brewer, et al.	07-30-1985
	26	4,521,509		Benkovic, et al.	06-04-1985

FOREIGN PATENT DOCUMENTS

OTHER ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	27	OKADA, ET AL., Efficient directional cloning of recombinant adenovirus vectors using DNA-protein complex, Nucleic Acids Research, 1998, 26(8):1947-1950	
	28	WONG, ET AL., A novel method for producing partial restriction digestion of DNA fragments by PCR with 5-methyl-CTP, Nucleic Acids Research, 1997, 25(20):4169-4171	

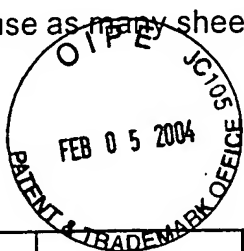
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29	HSIAO, Exonuclease III induced ligase-free directional subcloning of PCR products, Nucleic Acids Research, 1993, 21(23):5528-5529	
30	MEAD, ET AL., A universal method for the direct cloning of PCR amplified nucleic acid, Bio/Technology, 1991, 9:657-663	
31	MARCHUK, ET AL., Construction of T-vectors, a rapid and general system for direct cloning of unmodified PCR products, Nucleic Acids Research, 19(5):1154	
32	HOLTON, ET AL., A simple and efficient method for direct cloning of PCR products using ddT-tailed vectors, Nucleic Acids Research, 1990, 19(5):1156	
33	PUTNEY, ET AL., A DNA fragment with an α -phosphorothioate nucleotide at one end is asymmetrically blocked from digestion by exonuclease III and can be replicated <i>in vivo</i> , 1981, 75(12):7350-7354	
34	PELHAM, ET AL., Eur. J. Biochem, 1976, 67:247	
35	UHLEN, ET AL., Gene, 1983, 23:369	/
36	SASSENFELD, ET AL., Bio Technology, 1984, 2:76	/
37	MELTON, ET AL., Nucleic Acid Res., 1984, 12:7035	/
38	EVAN, ET AL., Mol. Cell. Biol., 1985, 5:3610-3616	/
39	LABEIT, ET AL., A new method of DNA sequencing using deoxynucleoside alpha-thiotriphosphates, DNA, 1986, 5(2):173-177	/
40	DYATKINA, ET AL., Terminating substrates of DNA polymerases: synthesis and functional study, Nucleic Acids Symp. Ser., 1987, 18:117-120	/
41	LABEIT, ET AL., Meth. Enzymol., 1987, 155:166	/
42	NAKAMAYE, ET AL., Direct sequencing of polymerase chain reaction amplified DNA fragments through the incorporation of deoxynucleoside alpha-thiotriphosphates, Nucl. Acids Res., 1988, 16(21):9947-9959	/

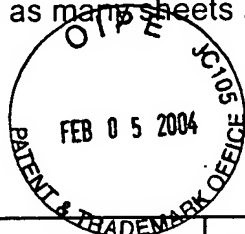
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Sheet	4	of	4	Attorney Docket No.	SGM 6938.1



	43	HOPP, ET AL., Biotechnology, 1988, 6:1204	
	44	SMITH, ET AL., Gene, 1988, 67:31	
	45	SAIKI, ET AL., Science, 1988, 239:487-491	
	46	PRICKETT, ET AL., Bio Techniques, 1989, 7:580	
	47	KOLODZIEJ, ET AL., Methods Enzymol., 1991, 194:508-519	
	48	KALUZ, ET AL., Nucleic Acids Research, 1992, 20:4369-4370	

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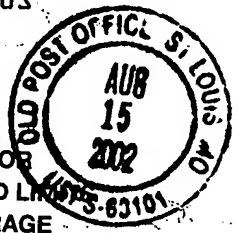
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